



Docket 61036  
Express Mail Label No. EV492345615US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: P. Feldman, et al.  
Serial No.: 09/980,680 Examiner: B. Coleman  
Filing Date: 31 Oct 2001 Art Unit: 1624  
For: SHORT-ACTING BENZODIAZEPINES

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*See application only*

**AMENDMENT**

Applicants are in receipt of the Office Action dated November 10, 2004. Please amend the above-identified application as follows.

An amendment to the specification is set forth on page 2 of this paper.

A listing of pending claims begins on page 3 of this paper.

Remarks begin on page 16 of this paper.

U.S. Patent and Trademark Office  
Washington, DC 20591-0000  
www.uspto.gov  
1-800-PTO-9199

None of the Yukimasa et al., Thorsett et al. or Wu et al. document disclose such compounds. Accordingly, withdrawal of the rejections are requested. See, for instance, See *In re Marshall*, 198 USPQ 344, 346 (CCPA 1978) ("[r]ejections under 35 U.S.C. §102 are proper only when the claimed subject matter is identically disclosed or described in the prior art.")

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,



Peter F. Corless (Reg. 33,860)  
EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, MA 02205  
(617) 439-4444